

JAN 27 2006

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ANGELO MAIETTA,

Plaintiff - Appellant,

v.

WESTERN CONFERENCE OF
TEAMSTERS PENSION TRUST FUND,

Defendant - Appellee.

No. 05-55865

D.C. No. CV-04-03851-MMM

MEMORANDUM^{*}

Appeal from the United States District Court
for the Central District of California
Margaret M. Morrow, District Judge, Presiding

Submitted January 23, 2006 ^{**}

Before: T.G. NELSON, SILVERMAN and BYBEE, Circuit Judges.

Our review of appellant's opening brief and response to the court's
October 19, 2005 order to show cause indicates that the questions raised in this

^{*} This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

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appeal are so insubstantial as not to require further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard).

Accordingly, we summarily affirm the district court's judgment.

All pending motions are denied as moot.

AFFIRMED.